

SENATE BILL REPORT

HB 2683

As Reported By Senate Committee On:
Government Operations & Elections, February 20, 2004

Title: An act relating to providing notice of potential administrative rule actions.

Brief Description: Changing provisions relating to providing notice of proposed rule changes.

Sponsors: Representatives Haigh, Armstrong and Linville; by request of Governor Locke.

Brief History:

Committee Activity: Government Operations & Elections: 2/20/04 [DP].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: Do pass.

Signed by Senators Roach, Chair; Berkey, Horn, Kastama and McCaslin.

Staff: Diane Smith (786-7410)

Background: Three copies of all notices of proposed rule-making must be filed with the Joint Administrative Rules Review Committee.

In order to provide greater public access to the rule-making process, agencies prepare statements of inquiry. These statements solicit comments from the public on a subject of possible rule-making before a notice of proposed rule-making is filed with the Code Reviser. Statements of inquiry are sent to any party who has requested them.

Interpretive and policy statements are advisory agency issuances that acquaint the public with the agency's opinions, approaches and likely courses of action. When issued, these statements are sent to everyone on a roster. This roster of interested persons is updated once per year.

The expedited rule-making process applies to certain agency rules. These rules are not subject to significant legislative rule-making, small business economic impact statements, statements of inquiry, or the hearing process. Agencies must send copies of notices of proposed expedited rule-making to interested persons and to the Joint Administrative Rules Review Committee.

Summary of Bill: A summary of the statements of inquiry may be sent to parties who request receipt of the agency's statement of inquiry.

A four-year pilot project is established that requires at least ten agencies to send the required three copies of notices of proposed rule-making to the Joint Administrative Rules Review Committee by electronic means. Electronic filings with the rules review committee of emergency rules and expedited rules are also included in the pilot project. A summary of the information on the notice of proposed rule adoption may be sent to those who request a copy of the notice of proposed rule adoption.

Updating of the roster of persons who wish to receive interpretive and policy statements must be done periodically.

The agency may send a summary of the information on the notice of proposed expedited rule-making to persons requesting the notifications and to the Joint Administrative Rules Review Committee.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is a good government bill that makes the rule making process more user-friendly and understandable.

Testimony Against: None.

Testified: Mark Johnson, NFIB (pro); Claire Hesselholt, Governor's Office (pro).